5475692/2022/TAPPAL-REV01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Prohibition and Excise Department – Departmental proceedings initiated against Sri Mendu Satyanarayana, Retired Joint Commissioner of Prohibition and Excise on the allegation of criminal misconduct and criminal conspiracy– Order dated 29.05.2020 in W.P.No.3637 of 2020 of the High Court – Implemented - Orders – Issued.

REVENUE (VIGILANCE.IV) DEPARTMENT

G.O.RT.No.75 **Dated:02-02-2022**
Read the following:-

1. From the Director General, Anti Corruption Bureau, A.P., Lr.No.Rc.No.11/RCO-VSK/2012, dt.12.10.2012.
2. Govt.Memo.No.46423/Vig.V(2)/2012-5, dated.03.06.2013 of the Rev(Vig.V) Dept.
3. From the Secy., T.D.P., Tribunal Enquiry case No.203 of 2013, dated.07.02.2018.
4. G.O.Rt.No.630, Rev.(Vig.V) Dept., Dt.29.06.2017.
5. G.O.Rt.No.1112, Rev.(Vig.V) Dept., Dt.31.10.2017.

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ORDER:

Whereas it was brought to the notice of the Government that Sri Mendu Satyanarayana, Retired Joint Commissioner of Prohibition and Excise while working as Assistant Commissioner, Srikakulam was involved in a disciplinary case pertaining to liquor syndicate case of Srikakulam district along with the other Prohibition and Excise officials. After conducting detailed inquiry, the Director General, Anti Corruption Bureau, in his report reference 1st read above recommended to place Sri Mendu Satyanarayana on his defense before Tribunal for Disciplinary proceedings.

2. And whereas after careful examination of the recommendations of the Director General, Anti Corruption Bureau, Government has taken a decision to entrust the said case against him to the Tribunal for Disciplinary proceedings in the reference 2nd read above. Accordingly, Charge memo was issued in the reference 3rd read above by the Tribunal for Disciplinary Proceedings.

3. Aggrieved by the charge memo, Sri Mendu Satyanarayana has filed W.P.No.3637 of 2020 before the Hon'ble High Court of Andhra Pradesh. The Hon'ble High Court, while disposing the said W.P. has passed the the following order dated: 29.05.2020 in W.P.No.3637 of 2020 (Operativeportion):

> "*...the Writ Petition is allowed quashing the charge memo, issued by the Tribunal for Disciplinary proceedings, Hyderabad, in Tribunal Enquiry case No.203 of 2013 dated 07.02.2018, and the petitioner is entitled to all consequential pensioner and other retirement benefits.*"

5. Government, after careful examination of the matter, filed W.A.No.466 of 2021 before the High Court challenging order dated: 29.05.2020 in W.P.No.3637 of 2020. The High Court in its order dt.16.09.2021 disposed the said W.A. with the following orders:

> "As the institution of departmental proceedings against the Writ Petitioners by issuance of charge memos was in respect of events that took place more than four years before such institution, the same is not permissible in view of Rule 9(2)(b)(ii) of the Rules of 1980. Accordingly, we find no error in the orders of the learned single Judge, quashing the Charge Memos."

Contd.,2

6. In the G.O. reference 4th read above, Orders were issued sanctioning provisional pension @ 75% of eligible pension entitled to Sri Mendu Satyanarayana under Rule 52 of Andhra Pradesh Revised Pension Rules, 1980 and in the G.O. reference 5th read above, sanction was accorded for releasing the Earned Leave encashment to him, pending finalization of disciplinary proceedings initiated against him.

7. Government after careful examination of the matter and in compliance with the order dated: 29.05.2020 in W.P.No.3637 of 2020 implement the same and hereby accord sanction to pay all consequential pensioner and other retirement benefits which are due to Sri Mendu Satyanarayana, Retired Joint Commissioner of Prohibition and Excise.

8. The Commissioner of Prohibition and Excise shall take necessary action as expeditiously as possible in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA,
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To
Sri Mendu Satyanarayana, Retired Joint Commissioner of Prohibition and Excise through the Commissioner, Prohibition and Excise Department, Andhra Pradesh, Vijayawada.
The Commissioner, Prohibition and Excise Department, Andhra Pradesh, Vijayawada.
Copy to:
The Accountant General (A&E), Andhra Pradesh, Hyderabad.
The Director of Treasuries and Accounts, A.P., Vijayawada.
The Government Pleader for Services-I, Andhra Pradesh High Court, Amaravati w.r.t. W.P.No. 3637 of 2021
The Director General, Anti Corruption Bureau, Andhra Pradesh, Vijayawada.
The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, A.P. Secretariat, Velagapudi.
The Secretary, Tribunal for Disciplinary proceedings, Nampally, Hyderabad.
Sc/Sf.

//FORWARDED:: BY ORDER//

R. Vijay Kishore
SECTION OFFICER